

## REMARKS

This amendment is in response the Final Rejection in the Office Action of May 3, 2006.

In the Office Action, claims 1, 2 and 12 were allowed.

Claims 3-10, 13 and 14 were rejected using as a common reference United States Publication 2004/0084552 to Huartson. A prior Declaration for overcoming this reference was deemed insufficient.

In a telephone interview with examiner and supervisor, the Declaration was discussed and suggestions advanced for overcoming the insufficiencies. Two declarations are submitted herewith; a revised declaration by the undersigned and a declaration by the inventor.

As to the declaration of the undersigned, the same has been revised to indicate that the attached draft was prepared under the direction of John G. Mills, consistent with a prior provisional application. The declaration of the inventor includes statements and accompanying photographs demonstrating a reduction to practice in the United States, without abandonment and prior to the effective date of Huartson, of a sprayer commensurate with the rejected claims. The photographs of the applicant declaration depict operation of the sprayer by the inventor using a spray shield as requested in the telephone interview.

An earnest effort has been made in these declarations to incorporate the requirements advanced in the telephone interview, and acceptance thereof is requested thereby removing Huartson as a reference to all rejected claims thus rendering the same patentable over the remaining references. Should any desired item have been inadvertently overlooked or should additional substantiation be requested, the same will be provided.

With a removal of Huartson as a reference, the rejected claims would appear patentable and notification of allowance of claims 1, 2, 3-10, and 12-14 is respectfully requested.

Dated: September 6, 2006

Respectfully submitted,

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A handwritten signature in cursive script, reading "Peter D. Sachtjen".

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